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Form Last Revised: December 31, 2013

CITY OF SEATTLE

ORDINANCE	

COUNCIL BILL 18269

- AN ORDINANCE relating to 14th Avenue NW; transferring partial jurisdiction over a portion of 14th Avenue NW between NW 59th Street and NW 61st Street from the Seattle Department of Transportation to the Department of Parks and Recreation for neighborhood park purposes; deleting the Ballard Hub Urban Village project from the Neighborhood Park Acquisition Subcategory of the Acquisition Category of the 2008 Parks and Green Spaces; adding 14th Avenue NW Neighborhood Park Development as a new project in the Neighborhood Parks and Playgrounds Subcategory of the Development Category of the 2008 Parks and Green Spaces; reallocating funding from the Neighborhood Park Acquisition Subcategory to the Neighborhood Parks and Playgrounds Development Subcategory of the 2008 Parks and Green Spaces Levy; increasing appropriations to the Department of Parks and Recreation in the 2014 Adopted Budget; and amending the 2014-2019 Adopted Capital Improvement Program; all by a three-fourths vote of the City Council.
- WHEREAS, in 1998 the Crown Hill/Ballard Neighborhood Plan was completed, calling for the creation of a network of "green" links such as 14th Avenue NW, as a creative way to provide usable open space and improve connections throughout the neighborhood; and
- WHEREAS, in 2005 a group of residents and businesses formed the 14th Avenue NW Stewardship Committee to look at the future of 14th Avenue NW; and
- WHEREAS, in 2006 the 14th Avenue NW Stewardship Committee received a Neighborhood Matching Fund grant to fund a vision and action plan for 14th Avenue NW; and
- WHEREAS, the 14th Avenue NW vision and action plan articulated the vision of a park boulevard all the way from the ship canal to NW 65th Street; and
- WHEREAS, Ordinance 122749 authorized a proposition to Seattle's voters, a Parks and Green Spaces Levy (2008 Parks Levy) to levy for up to six years regular property taxes in excess of the limitation on levies in Chapter 84.55 RCW for the purposes of acquiring, developing, or restoring parks, recreation facilities, cultural facilities, green spaces, playfields, trails, community gardens, and shoreline areas; and
- WHEREAS, the 2008 Parks Levy was approved by Seattle voters on November 4, 2008; and
- WHEREAS, Ordinance 122749 created four major funding categories for levy funds: 1)
 Acquisition; 2) Development; 3) Environment; and 4) Opportunity Fund; and

DPR 14th Avenue NW Neighborhood Park ORD May 12, 2014 Version #8 WHEREAS, Ordinance 122749 established a Parks and Green Spaces Levy Oversight Committee (Oversight Committee) with responsibility to advise and make recommendations to the Superintendent, Mayor, and City Council about 2008 Parks and Green Spaces Levy expenditures, including addition and deletion of projects and reallocation of funding between categories; and WHEREAS, Ordinance 122749 identifies the Ballard Hub Urban Village as a project in the Neighborhood Park Acquisition Subcategory of the Acquisition Category of the 2008 Parks and Green Spaces Levy; and WHEREAS, the development of a portion of 14th Avenue NW as a neighborhood park would provide many of the same benefits as acquisition of new property for a neighborhood park and is a viable alternative for park acquisition and development within the Ballard Hub Urban Village; and WHEREAS, the East Ballard Community Association, Groundswell NW, and the Ballard District Council have requested that the City prioritize development of a portion of 14th Avenue NW as a neighborhood park over land acquisition; and WHEREAS, on March 24, 2014, after public comments and consideration, the Oversight Committee voted to recommend to the Seattle City Council to delete the Ballard Hub Urban Village project from the Neighborhood Park Acquisition Subcategory of the Acquisition Category and to add 14th Avenue NW Neighborhood Park Development (east side of 14th Avenue NW, between NW 59th Street and NW 61st Street) to the Neighborhood Parks and Playgrounds Subcategory of the Development Category of the 2008 Parks and Green Spaces Levy, and to reallocate funds from the total allocation for the Neighborhood Park Acquisition Subcategory of the Acquisition Category to the total allocation for the Neighborhood Parks and Playgrounds Subcategory of the Development Category; and WHEREAS, Ordinance 122749 provides that, after considering any recommendations made by the Oversight Committee, the City Council may, by a three-fourths vote, delete projects and reallocate 2008 Parks and Green Spaces Levy allocations across categories and subcategories; and WHEREAS, Ordinance 122749 also provides that if the City Council approves deletion of a project, the Council may approve a new project; and WHEREAS, the portion of 14th Avenue NW proposed for neighborhood park development is not currently required for transportation purposes; and WHEREAS, the Bicycle Master Plan identifies 14th Avenue NW for a future cycle-track; and

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Transportation have agreed that it would be premature to build a cycle track through the

WHEREAS, the Department of Parks and Recreation and the Seattle Department of

proposed neighborhood park at this time, but the design will have space to accommodate a future cycle track; and

WHEREAS partial transfer of jurisdiction of a portion of 14th Avenue NW for development of a neighborhood park, subject to the conditions contained in this ordinance, is a desirable public use supported by the Director of Transportation; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Director of Transportation recommends, and the City Council finds, that the full width of the 14th Avenue NW right-of-way between NW 59th Street and NW 61st Street is not currently needed for transportation purposes and that transfer of partial jurisdiction of the portion of 14th Avenue NW described in Section 2 below to the Department of Parks and Recreation for a neighborhood park until needed for transportation purposes is a desirable public use.

Section 2. Subject to the conditions and limitations in Sections 3-6 below, such limited and partial jurisdiction of the portion of 14th Avenue NW described as follows (Designated Portion), as shall be necessary for the construction, operation, maintenance, and repair of a park, is hereby transferred, without charge, from the Seattle Department of Transportation (SDOT) to the Department of Parks and Recreation (Parks) for neighborhood park purposes:

The eastern 52 feet, EXCEPT the east 8 feet, of 14th Avenue NW between NW 59th Street and NW 61st Street and abutting the following blocks:

GILMAN PARK ADDITION, BLK 91 and BLK 92 (between NW 59th and NW 60th)

GILMAN PARK ADDITION, BLK 89 and BLK 90 (between NW 60th and NW 61st)

Section 3. Parks shall be responsible for all costs of designing, constructing, operating, and maintaining a park (including park elements) in the Designated Portion (14th Avenue NW

2.8

Park), and costs of designing and constructing the adjacent reconfigured roadway, as directed by SDOT. Park elements may include site furniture, play structures, bollards, pathways, biofiltration swales, trees and other vegetation.

Section 4. Parks shall maintain the 14th Avenue NW Park consistent with the maintenance standards of other parks in the park and recreation system and shall operate the 14th Avenue NW Park in accordance with Seattle Municipal Code Chapter 18.12, as amended if applicable.

Section 5. Parks shall have jurisdiction over the surface of the Designated Portion only. Any use affecting the surface of the Designated Portion, such as digging or trenching or other surface use or occupation by owners or operators of subsurface or overhead utilities (whether public or private), requires a Parks Revocable Use Permit, or functional equivalent, in addition to any other permits required under applicable law and regulation. Parks shall have no responsibility for subsurface or overhead utilities (all of which continue to be the responsibility of the public or private owner, including lateral sanitary, combined and stormwater lines serving private property), except for the right to require a Parks Revocable Use Permit, or functional equivalent, for surface use or disturbance of the Designated Portion and except to the extent Parks causes damage to utilities during construction or maintenance of the 14th Avenue NW Park. Parks shall have no authority or responsibility for operation, maintenance or permitting for any portion of the 14th Avenue NW right-of-way outside of the surface of the Designated Portion, including the road surface, and all of the subsurface of the 14th Avenue NW right-of-way, which shall remain under the jurisdiction of SDOT.

Section 6. Parks' jurisdiction includes the right to require compensation or repair or replacement for any damage to improvements within the 14th Avenue NW Park, including

surfaces, structures, park furnishings, or vegetation, whether caused by permittees, other City departments or contractors, or malfunctioning utilities.

Section 7. The recommendation of the Parks and Green Spaces Levy Oversight

Committee to delete the Ballard Hub Urban Village project from the Neighborhood Park

Acquisition Subcategory of the Acquisition Category and to add 14th Avenue NW Neighborhood

Park Development (east side of 14th Avenue NW, between NW 59th Street and NW 61st Street) to
the Neighborhood Parks and Playgrounds Subcategory of the Development Category of the 2008

Parks and Green Spaces Levy is adopted.

Section 8. The recommendation of the Parks and Green Spaces Levy Oversight

Committee to reallocate funds sufficient for 14th Avenue NW Neighborhood Park Development

(east side of 14th Avenue NW, between NW 59th Street and NW 61st Street) from total allocation

for the Neighborhood Park Acquisition Subcategory of the Acquisition Category to the total

allocation for the Neighborhood Parks and Playgrounds Subcategory of the Development

Category of the 2008 Parks and Green Spaces Levy, which Parks has determined is \$2,625,000,

is adopted.

Section 9. In order to pay for necessary capital costs and expenses incurred, or to be incurred, but for which insufficient appropriations were made due to causes that could not reasonably have been foreseen at the time the 2014 budget was adopted, the appropriation for the following item in the 2014 Adopted Budget is increased from the funds shown, as follows:

Fund	Department	Budget Control Level	Amount
2008 Parks Levy Fund (33860)	Parks and Recreation	2008 Parks Levy – Neighborhood Parks and Playgrounds (K720020)	\$2,625,000

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Section 10. The 2014-2019 Adopted Capital Improvement Program is amended to include the following new project and allocation as described in Attachment 1 to this ordinance: 14th Avenue NW Neighborhood Park Development (east side of 14th Avenue NW, between NW 59th Street and NW 61st Street).

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1	Section 11. This ordinance shall take	effect and be in force 30 days after its approval by
2	the Mayor, but if not approved and returned by	y the Mayor within ten days after presentation, it
3	shall take effect as provided by Seattle Munic	
4		,
5	Passed by a 3/4 vote of all the members of the	e City Council the day of, 2014,
6	and signed by me in open session in authentic	ation of its passage this day of
7	, 2014.	
8	·	
9	-	
10		Presidentof the City Council
11		
12	Approved by me this day of	, 2014.
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14		
15		Edward B. Murray, Mayor
16		2014
17	Filed by me this day of	, 2014.
18		
19		Monica Martinez Simmons, City Clerk
20		Monica Martinez Simmons, City Clerk
21	(Seal)	
22	Attachment 1: 2008 Parks Levy CIP Project	t Description: 14 th Avenue NW Neighborhood Park
23	Development (east side of 14 th Avenue NW,	between NW 59 th Street and NW 61 st Street)
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Attachment 1

14th Avenue NW Neighborhood Park Development (NW 59th to NW 61st)

BCL/Program Name:

2008 Parks Levy- Neighborhood Parks

BCL/Program Code:

K720020

Project Type:

New Facility

and Playgrounds

Start Date:

Q1/2013

Project ID:

K730176

End Date:

Q4/2015

Location:

14th AVE NW/NW 59th ST/NW 61st

Neighborhood Plan

N/A

Neighborhood Plan:

Crown Hill/Ballard

Matrix:

Urban Village:

Ballard Hub Urban

Village

Neighborhood District:

Ballard

This project develops the east side of 14th Avenue NW between NW 59th and NW 61st as a Neighborhood Park. After transfer of jurisdiction for this portion of 14th Avenue NW from the Seattle Department of Transportation to the Seattle Department of Parks and Recreation, a new park space will be created for the Ballard neighborhood. The Park will provide usable park space while continuing to provide two traffic lanes and reduced parking. This project is part of the 2008 Parks Levy using funds reallocated from Neighborhood Park Acquisitions to Neighborhood Parks and Playgrounds Development.

	LTD Actuals	2013 Rev	2014	2015	2016	2017	2018	2018	
Revenue Sources									
Seattle Voter-Approved Levy	0	0	2,625	0	0	0	0	0	2,625
Total:	0	0	2,625	0	0	0	0		2,625
Fund Appropriations/Alloc	ations								
2008 Parks Levy Fund	0	0	2,625	0	0	0	0	0	2,625
Total*:	0	0	2,625	0	0	0	0	0	2,625
O & M Costs (Savings)			0	27	28	28	29	29	140
Spending Plan by Fund									
2008 Parks Levy Fund	•	59	51	2,515	0	0	0	0	2,625
Total:		59	51	2,515	0	0	0	0	2,625

Form revised: February 26, 2014

FISCAL NOTE FOR CAPITAL PROJECTS ONLY

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Parks and Recreation	Donald Harris/684-8018	Forrest Longman/684-0331

Legislation Title: AN ORDINANCE relating to 14th Avenue NW; transferring partial jurisdiction over a portion of 14th Avenue NW between NW 59th Street and NW 61st Street from the Seattle Department of Transportation to the Department of Parks and Recreation for neighborhood park purposes; deleting the Ballard Hub Urban Village project from the Neighborhood Park Acquisition Subcategory of the Acquisition Category of the 2008 Parks and Green Spaces; adding 14th Avenue NW Neighborhood Park Development as a new project in the Neighborhood Parks and Playgrounds Subcategory of the Development Category of the 2008 Parks and Green Spaces; reallocating funding from the Neighborhood Park Acquisition Subcategory to the Neighborhood Parks and Playgrounds Development Subcategory of the 2008 Parks and Green Spaces Levy; increasing appropriations to the Department of Parks and Recreation in the 2014 Adopted Budget; and amending the 2014-2019 Adopted Capital Improvement Program; all by a three-fourths vote of the City Council.

Summary and Background of the Legislation:

This legislation lays out the groundwork necessary to develop a neighborhood park in Ballard. The legislation includes the following provisions:

- 1. Transfers partial jurisdiction of a portion of 14th Avenue NW between NW 59th Street and NW 61st Street for a neighborhood park from the Seattle Department of Transportation (SDOT) to the Department of Parks and Recreation (DPR);
- 2. Deletes the Ballard Hub Urban Village project from the Acquisition Category, Neighborhood Park Acquisition Subcategory, of the 2008 Parks and Green Spaces Levy;
- 3. Establishes a new project, 14th Avenue NW Neighborhood Park Development (which develops a neighborhood park on a portion of 14th Avenue NW between NW 59th Street and NW 61st Street) in the Development Category, Neighborhood Parks and Playgrounds Subcategory, of the 2008 Parks and Green Spaces Levy;
- 4. Reallocates \$2,625,000 in the 2008 Parks and Green Spaces Levy from the Acquisition Category to the Development Category, decreasing the Neighborhood Park Acquisition Subcategory (K720010) and increasing the Neighborhood Parks and Playgrounds Development Subcategory (K720020);
- 5. Increases appropriations to DPR in the 2014 Adopted Budget; and
- 6. Amends the 2014-2019 Adopted Capital Improvement Program by appropriating \$2,625,000 in the Neighborhood Parks and Playgrounds Development Subcategory (K720020) for this project.

The Ballard Hub Urban Village is identified as a priority neighborhood for park acquisition in the 2008 Parks and Green Spaces Levy. Development of a park on 14th Avenue NW would

Chip Nevins DPR 14th Avenue NW Park FISC May 12, 2014 Version # 5

provide many of the same benefits as acquisition of new property for a neighborhood park and is a viable alternative given the scarcity and high cost of land suitable for park acquisition and development within the Ballard Hub Urban Village. The project meets the goals of the Crown Hill/Ballard Neighborhood Plan, which calls for the creation of a network of "green" links such as 14th Avenue NW as a creative way to provide usable open space and improve connections throughout the neighborhood. The project is also consistent with the Ballard Open Space Inventory and Action Plan, a community-initiated plan that calls for accessible green space (defined as not having to cross an arterial) for every household in the Ballard Hub Urban Village. The new park will provide accessible green space within the area bounded by NW 65th Street and NW Market Street, 15th Avenue NW to 8th Avenue NW. The total cost of this project is \$2,900,000. Approximately \$300,000 in planning and design costs have been spent to date within the Neighborhood Park Acquisition Subcategory, of the 2008 Parks and Green Spaces Levy.

The project has a considerable amount of public support. It is a priority project for three active groups in Ballard including Ballard District Council, Groundswell NW, and the East Ballard Community Association. The project also addresses Resolution 31073, which was a companion piece of legislation to the Levy Ordinance (Ord. 122749). The Resolution requested better coordination between City departments in creating green infrastructure and green connections on City-owned land and to develop prototype projects.

Transfer of partial jurisdiction for neighborhood park purposes, allows for, and is subject to the protection of and provision for, transportation and utility uses. If this legislation passes and the site is transferred to DPR and developed as a park, 14th Avenue NW will become part of a new "Public Spaces" agreement related to park improvements, maintenance and operations, street use, liability, and other responsibilities relevant to the project between DPR and SDOT. Until the park is constructed, SDOT will remain responsible for maintenance, permitting, and other issues related to the 14th Avenue NW right-of-way. Consequently, no additional operation and maintenance funds are needed at this time. When the park is developed there will be additional operation and maintenance costs. These costs are outlined below and will be included in the 2016 budget.

Funding for the project requires a reallocation of Levy funds. On March 24, 2014, the Parks and Green Spaces Levy Oversight Committee voted to recommend to the Seattle City Council the reallocation of funds in the Neighborhood Park Acquisition Subcategory of the Acquisition Category to the Neighborhood Parks and Playgrounds Subcategory of the Development Category in order to fund the project. The individual budget transactions are detailed in the following section.

TD 4 A NT a reson	Project I.D.:	Project Location:	Start Date:	End Date:	_
Project Name: 14 th Ave NW Neighborhood	K730176	14 th Ave NW between NW 59 th and NW 61st	3 rd Quarter 2012	4th Quarter 2015	
Park Development		and IV W O18t			

X This legislation creates, funds, or anticipates a new CIP Project.

X This legislation has financial implications.

Appropriations:

Fund Name and Number	Department	Budget Control Level*	Existing 2014 Appropriation	New 2014 Appropriation (if any)	2015 Anticipated Appropriation
2008 Parks Levy Fund #33860	Parks & Recreation	2008 Parks Levy- Neighborhood Parks Acquisitions (K720010)	275,000	· .	
2008 Parks Levy Fund #33860	Parks & Recreation	2008 Parks Levy- Neighborhood Parks and Playgrounds (K720020)		2,625,000	
TOTAL			275,000	2,625,000	<u> </u>

Notes: The total cost of developing the neighborhood park is expected to be \$2.9 million, of which \$275,000 was already appropriated. These funds were used to cover planning and initial design costs.

Spending Plan and Future Appropriations for Capital Projects (\$000's):

Spending Plan and Budget	2011	2012	2013	2014	2015	2016	Total
Spending Plan	\$69	\$169	\$96	\$51	\$2,515		\$2,900
Current Year Appropriation			\$275	\$2,625_			\$2,900
Future Appropriations							0

Notes:

Funding source (\$000's):

Funding Source (Fund Name and Number, if	2012	2013	2014	2015	2016	2017	Total
applicable) 2008 Parks Levy Fund	\$275	\$0	\$2,625	\$0	\$0	\$0	\$2,900
(33860) TOTAL	\$275	\$0	\$2,625	\$0	\$0	\$0	\$2,900

Notes:

Bond Financing Required: N/A

Uses and Sources for Operation and Maintenance Costs for the Project:

Uses and Sources for O O&M	2014	2015	2016	2017	2018	2019	Total
Uses							
Start Up			\$27,540	\$28,090	\$28,652	\$29,225	\$113,507
On-going			\$27,340	φ20,070	Ψ20,032	Ψ2>,225	
Sources (itemize)							0440 505
Parks & Recreation			\$27,540	\$28,090	\$28,652	\$29,225	\$113,507
Fund (10200)							

Notes: The new facility O&M costs listed above reflect the costs to care for the fully-developed park starting 1st quarter 2016. Work may include maintaining landscaping, play area, turf, play court, and bioswale. Graffiti removal, signage, and legally required water testing will be done as well. Costs assume a 2% inflation rate in each successive year.

Periodic Major Maintenance costs for the project: N/C

Major Maintenance Item	Frequency	Cost	Likely Funding Source
TOTAL	N/C	N/C	TBD

Funding sources for replacement of project: The Levy does not provide a revenue source for ongoing major maintenance.

Other Implications:

- a) Does the legislation have indirect financial implications, or long-term implications? The development of the park will lead to ongoing O&M costs for DPR.
- b) What is the financial cost of not implementing the legislation?

 The development of a park in a portion of street right-of-way would provide similar benefits as acquisition and development of a neighborhood park and is a more cost effective approach than acquiring property and developing it. Not implementing this legislation would forego this opportunity.
- c) Does this legislation affect any departments besides the originating department? Yes, SDOT. SDOT and Parks are drafting a new agreement (to replace an existing one) defining their respective operations and maintenance responsibilities for public spaces within the right-of-way.
- d) What are the possible alternatives to the legislation that could achieve the same or similar objectives? An alternative to creating a park in the right-of-way is buying private property in the neighborhood and developing it into a park.

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- e) Is a public hearing required for this legislation? No
- f) Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation? No.
- g) Does this legislation affect a piece of property? Yes.
- h) Other Issues: None.

List attachments to the fiscal note below: Exhibit 1: Map of 14th Avenue NW Neighborhood Park (east side of 14th Avenue NW between NW 59th and NW 61st)

Park FISC Exhibit 1	
NW 61ST ST	
NW 60TH ST	
NW 59TH ST	
14TH AVE NW	
	NW 61ST ST NW 60TH ST NW 59TH ST



Legend
Right-of-Way Area to be Park





No warranties of any sort, including accuracy, fitness or merchantability accompany this product.

Map date: May19, 2014



City of Seattle Edward B. Murray Mayor

October 14, 2014

Honorable Tim Burgess President Seattle City Council City Hall, 2nd Floor

Dear Council President Burgess:

I am pleased to transmit the attached proposed Council Bill transferring partial jurisdiction of 14th Avenue NW between NW 59th Street and NW 61st Street from the Department of Transportation to the Department of Parks and Recreation to create a new neighborhood park. The proposed Bill also reallocates \$2,625,000 from the Neighborhood Park Acquisition Subcategory of the Acquisition Category to the Neighborhood Parks and Playgrounds Subcategory of the Development Category of the 2008 Parks and Green Spaces Levy to fund park development.

The Ballard neighborhood continues to absorb considerable new development, leading to increased demand for parks and open space. The 14th Avenue NW Neighborhood Park, first envisioned in the 1998 Crown Hill/Ballard Neighborhood Plan and supported by a range of Ballard organizations, represents an innovative, efficient use of funding from the 2008 Parks and Green Spaces Levy. It will provide high-quality open space to the Ballard community.

Thank you for your consideration of this legislation. Should you have questions, please contact Donald Harris at 684-8018.

Sincerely,

Edward B. Murray Mayor of Seattle

cc: Honorable Members of the Seattle City Council